VOL. LXIV.-NO. 270.

reply to the motion made yesterday by Mr. Johnson for the defence, that the Court instruct the jury to return a verdict for the defence. Mr. Davis dealt first with the second point made by the defence, that it was not the duty of Mr. Havemeyer to examine the books of the company to procure data for the committee. He held that as Mr. Havemeyer did not object before the committee to going to the books and getting the data required, his mouth was closed from now basing his refusal to answer on the allegation that it was not his duty to go to the books. He then took up the fourth point of defence, that the question was too broad. This, said he, came a the committee room, where Mr. Havemever picked the question to pieces and refused to anwer certain parts of it. He attempted to show that the contributions to the local campaign funds had a most important bearing on the matter which was being investigated by the committee, in that the election of Senators might be influenced by such contributious, and that was the point which the Senate strove to reach. As to the fifth point he held that the defendant should have inquired had he any doubt that the question was one of the committee and not of an individual member. Mr. Davis then referred to the first point of the defence, which he con-sidered the most important of all-in fact, one of the most important points which has ever been raised in the courts-namely, that the Senate had not the right to inquire as to contributions made to State and local campaign committees. He held that, in connection with the grave matters with which the Senate was dealing at this time, the question was relevant and had a most important bearing. The charges which were being investigated were grave enough to cause a Senator to lose his seat should they be proven, consequently anything having a direct bearing on the subject was pertinent. The subject-matter of the investigation, he said, referring to the opinion of the Court of Appeals in the Chapman case, was within the scope of the Senate, and this question related closely to the subject matter. It was within the scope of the Senate to subject the actions of an individual to the closest scrutiny to decide his fitness to sit with the other members. He held that the denial made by Mr. Have moyer, that the Sugar Trust had not directly contributed to the National Committees, did not

inherent right to protect itself.

Mr. Johnson, for the defence, said that the question which the committee had to deal with was not whether the Sugar Trust contributed to was not whether the Sugar Trust contributed to the local or national committees, but to determine whether any of the Senators had been influenced in their votes on the sugar schedule by the use of money. He quoted from that part of the report of the committee dealing with the result of the investigation to show that the committee was satisfied with the result of the investigation, even if Mr. Havemeyer did refuse to answer a certain question. "What purpose could have been accomplished?" What could have been done had they discovered that the trust had made local and State contributions and the exact amount? Who could punish and what could the punishment be!" result of the investigation to show that the committee was satisfied with the result of the investigation, even if Mr. Havemeyer did refuse to answer a certain question. "What purpose rould have been accomplished?" he inquired. "What could have been done had they discovered that the trust had made local and State contributions and the exact amount? Who could punish and what could the punishment be?"

Mr. Johnson could not concede that because Mr. Havemeyer did not decline to produce the data from the books on the first day, being without the advice of counsel, he was barred from so decline to or consideration of the subject. To that request Senator Chandler objected, stating the ground of his objection as follows:

"After the Senate special committee to investigate alieged bribery in connection with the same legal by the consideration of the subject. To that request Senator Chandler objected, stating the ground of his objection as follows:

"After the Senate special committee to investigate alieged bribery in connection with the sugar legal bribery in connection with the sugar legal

prove that the trust had nothing to do with the

national elections. The trust had been charged

with attempting, with the aid of certain Sena-

tors, to secure the passage of an act protecting

the company at the expense of the people, and

the court should not deprive the Senate of its

data from the books on the first may, some whole the advice of counsel, he was barred from so declining on the second day, having in the mean time consulted his attorney. "I say to the head men behind this prosecution, to that thing which is urging this prosecution, that it was his duty to warn the witness that he might be punished for refusing to answer. Even the rattlemake gives warning before he strikes." Mr. Johnson did not say to whom he referred.

d not say to whom he referred. At the conclusion of Mr. Johnson's argument At the conclusion of Mr. Johnson's argument Justice Bradley ordered a recess until 1 o'clock. During the recess Justice Bradley retired to his private room to prepare his ruling on the motion. It was the general impression before the convening of the court that he would decide in favor of the defence, and although the counsel and client wore an air of suppressed anxiety, they evidently feit much entouraged. A little miss of four or five years tripped across the floor just before the court opened and ran up to Mr. Havemeyer. He picked her up lightly in his arms and kissed her. "She is a stranger to me," he said, "but I

s and kissed her. She is a stranger to me," he said, "but I consider it a good omen."

The court filled with spectators and witnesses, the jury filed into the box, and every one waited the coming of Justice Bradley with the greatest interest.

alercest.
Justice Bradley was ten minutes late in entering the court room. He opened by saying that he questions propounded were worthy of great are and deliberation, especially that one relating to the power and jurisdiction of the Senate of the United States in regard to the resolution. ing to the power and jurisdiction of the Senate of the United States in regard to the resolution directing the investigation which the committee was engaged upon, and the power and authority in the resolution under which the committee made the investigation. These grave questions he had not had time to study in the brief interval which had elapsed since the arguments closed, and he would not like to enter upon a discussion of them without sufficient time. But he was prepared to rule on the motion on other granula.

the was prepared to rule on the motion on other graints.

He then briefly reviewed the proceedings of the Senate and the committee, including the saking of the question in controversy by Mr. Allen and Mr. Havemeyer's refusal to answer.

"Does the testimony show that the defendant was recusant!" he asked. "This depends on two questions: Was the subject matter pertinent, and if so, within the jurisdiction of Congress; and did the defendant refuse to furnish the information called for! A negative answer to either of these interrogatories would make it necessary for me to grant the motion."

The Justice said that Mr. Havemeyer was not saked to produce books, but data from books, regarding the contributions to the State and local campaign funds. "There is evidence," he said, "to show that although the question was discented to by some of the members, it was sustained by a majority of the members. When the committee met next day he was not asked regarding anything he knew personally, but to produce lata regarding contributions, national, state, and local. He had aiready answered the part referring to national matters. On this occasion he is not said to have had possession of the facts, but to have declined to look it up, or produce it from the books. The statute expressly provides that any one who shall be summoned to give testimony or to produce papers, and refuses to do so, shall be guilty of contempt. He was act called upon to prepare himself for testifying before the committee by studying books and other data."

Continuing the Justice asked whether he could be held for not senting the tast and force the committee by studying books.

ing the Justice asked whether he could antining the Justice asked whether he could cled for not securing the data asked for when out of his reach, the subpens and testifism merely summoned him to testify from tall memory. There is no doubt that the mittee, being a judicial body, might have tred the books produced then and there. have found one case, "he continued, "that miswhat in point. A referee ordered the midant to produce his books and leave them they that the referee might examine them at the This he refused to do, and the Court that he was not in contempt, as he had not chaire. This he refused to do, and the Court held that he was not in contempt, as he had not been as directed in the first order. If the withese had this data within easy reach, would his refusal to consult it amount to a refusal I There is no evidence to support the 'dea that such an examination would refresh the memory of the witness. Personal knowledge and evidence are all that are required of a witness. The allegation of the indictment is that the witness refused to answer it, but he previously isstined that he had no recollection of the amounts which had been contributed. On all of these grounds it would appear to me that no Court in Christendom would hold that the witness would not contempt. If the defendant is not guilty of contempt, then it is baseless to ass whether the Senate of the United States had invisidetion. When it becomes necessary for the Court to determine it, it will do so, but it is not necessary to do so now, as in the present case I must grant the motion for the defende and order lin jury to return a vertilet of acquittal."

As the Justice completed his ruling Mr. Have-meyer's face breadened into a smile of satisfacNEW YORK, FRIDAY, MAY 28, 1897. -COPYRIGHT, 1897, BY THE SUN PRINTING AND PUBLISHING ASSOCIATION.

MR. HAVEMEYERGOES FREE

JUSTICE BRADLEY ORDERS A FERDICT OF ACQUITTAL.

After Reviewing the Testimony Before the senate Committee the Justice Sate That Howard Court in Christendom Would Hold That Howard Court Howard Court in Christendom Would Hold That Howard Court Howard Court in Christendom Would Hold That Howard Court Howard Court Howard Court for his refusal to answer a certain question put to him in the committee of the Senate investigating the sugar scandal.

The third day's proceedings opened promptly at 11 o'clock District Attorney Davis is somewhat discouraged over his failure to convict Mr. Havemeyer and the fact that the case did not even reach the jury, he will press the case Against Mr. Searles to morrow on the ground that it deals with different matters and that Mr. Searles is guilty. An examination of the landing the House Court Howard Cour

that it deals with different matters and that Mr. Searles is guilty. An examination of the indictment against Mr. Searles shows that the latter refused to answer three questions, all put by Senator Allen, as follows:

"Q.—What amount was expended by your company in the campaign of 1892 I A.—I must decline to answer that question.

"Q.—What sum did you contribute to the Democratic campaign fund in the State of New York in 1892, that was used for the purpose of conducting the campaign in that State at which time Cleveland and Harrison were candidates for President of the United States I A.—I must decline to answer that question.

"Q.—Did you contribute to the Democratic fund in New York I A.—I must decline to answer

that question."

Justice Bradley held in the Havemeyer case Justice Bradley held in the Havemeyer case that, as the witness had been summoned to testify and not to produce books or other data, he could not be held in contempt of the Senate unless he had later been required to produce such data; but here the case is that the witness fiatly declined to answer the questions, which presumes that he was in a position to have answered had he seen fit. Mr. Searles based his refusal on the ground that he did not think the committee had lawful power or authority under the resolution of the Senate to propound the last mentioned question, and that he did not think he was lawfully bound to reply.

The question appears to rest entirely on the

question, and that he did not think he was lawfully bound to reply.

The question appears to rest entirely on the point which Justice Bradley declined to rule on to-day, namely, the authority of the committee to question the witness regarding the contributions of the Sugar Trust to campaign funds of the political parties. When the case is taken up to-morrow Mr. Davis will present his side as he did in the case against Mr. Havemeyer. It is expected that the defendant's counsel will admit without objection all the testimony and make a motion to take the case from the jury, as in the Havemeyer case, based on this point. How Justice Bradley will rule on this is, of course, still in doubt. It has a most important bearing on the constitutionality of the investigation itself, and the Justice stated to The Sun representative after the trial to-day that before ruling on such an important point he would demand time for the most careful consideration. Justice Bradley has always had the reputation of being exceptionally tenacious of an opinion and fearless of the consequence, so that he will not be influenced by anything but the facts in the and fearless of the consequences, so that he will not be influenced by anything but the facts in the

THE SUGAR STOCK SCANDAL.

An Attempt May Be Made in the Senate To-Day WASHINGTON, May 27 .- It is probable that the

acquittal of Mr. Havemeyer in the Criminal Court to-day will be followed by an attempt in the Senate to-morrow to resume the so-called sugar stock investigation of 1894. Contrary to general opinion, the special committee appoint-ed to inquire into the alleged stock speculations of Senators is still in existence, and ft is on the programme for some Senator, possibly Mr. Allen or Mr. Tillman, to offer a resolution instructing the committee to resume its investigations and issue a subpoena duces tecum to Mr. Havemeyer, commanding him to appear before it with the books of the Sugar Refining Company covering disbursements or contributions for political pur

Bradley.

The claim that the investigating committee is still in legal existence is based on the following facts set forth in the Congressional Record:

On Aug. 2, 1894. Senator Gray, Chairman of the Senate special committee to investigate al-

If the Senator from Delaware makes no objec-tion I ask that the action on his request may go

over for the present."
Vice-President Stevenson responded: "Without objection it will be so ordered."
There was no objection, and the request went

COFFINS IN A SEALED ROOM. odd Discovery at the Tombs by the Weeks Who Are Pulling It Bown.

Contractors J. K. Brown and Michael Refrance who are tearing down the Tombs, were notified at noon yesterday by Foreman John O'Connor that he had discovered a sealed room in the garret of the old Franklin street wing.

"There's no doors to the room," said O'Connor. "I broke a big hole through the lath and

plaster." Contractor Brown went up the old winding stairs and inspected. Sure enough, there was no door. Brown ordered the men to break away he wall of plaster, and when light enough was let into the sealed room two small pine coffina were found in it. They were such as were used for the burial of the corpses of children in the days of the cholera plague. The coffins were

days of the cholera plague. The coffins were empty.

Further search of the room (which was about 4-gxt feet and looked like part of a disused passage) brought to light several old documents. Among these was a police court complaint, with the examination papers of a man who had been arrested long before the Tombs was built, 82 years ago. The papers had evidently come from the old City Hall. The names of "Jamieson Cox and Christian Schultz, Special Justices for the preservation of the peace in New York city," were printed at the top of the complaint, which stated that on Jan. 11, 1815. Samuel Lysle had been arrested and arraigned before said Justices in the police office of the City Hall on complaint of one Eliza Coxon.

HEAD-END COLLISION.

Runaway Freight Crushes Into a Passenge Train-Nine Killed.

SALT LAKE, Utah, May 27 .- A head-end col-American Falls, Idaho, on the Oregon Short Line, at 4:30 this morning, caused the death o nine persons and the serious injury of eight more. The passenger train was waiting for the freight at American Falls, standing in front of the station. The freight coming east ran away on the hill west of American Falls. It is thought that the air brakes had been tampered with.

that the air brakes had been tampered with. The freight, running fifty miles an hour, crashed into the peacenger engine, which was already backing.

Two men were on the station platform. One was killed and the other fatally injured. The station was shattered. Both engines were battered into scrap iron, and twenty freight cars were piled in a heap. Eight persons were crushed to death in the ruins. George Moore, the engineer of the freight, is seriously injured. The fireman, Dick Cosgrove, had a leg broken. C. C. Heckman, engineer of the passenger train, sustained slight injury. The dead are:

C. W. Shields, D. L. Thompson, Dayton, Wash.; John R. Cooper, Wellsville, Utah; J. Steffan, Dillon, Mont; five unknown men, all sheep shearers beating their way.

Among the injured. William Connelly, Great Barrington, Mass., was so badly crushed that he will die.

FOUND HER RINGS IN THE ASHPILE.

Mrs. Harper Lost Them Four Years Ago and Thought They Had Been Stolen.

St. Louis, May 27 .- Mrs. Stuart Harper of Modus, Ill., lost a collection of rings worth \$2,000 in her home in 1893. Although every it was made to find the jewelry, no part of it was recovered, and it was generally believed that it had been stolen by some one who had disposed of it in Chicago or the East. To-day an asiplie that had been accumulating near the Harper home for a number of years was removed, and near the centre of it all the rings were found. None of them was damaged. It is supposed that they were accidentally thrown on the pile in 1883 with some askes and sweepings from the house. effort was made to find the jewelry, no part of

THE PORTE MAKES REPLY.

CONDITIONS ON WHICH IT WILL TREAT WITH THE POWERS.

All Classes in Constantinople Are Opposed to Giving Up Theosaly-The Turks Are Pouring Thousands of Troops Into That Province - Fears of the Gravest Trouble.

Special Cable Despatch to THE SUR. LONDON, May 27.-The Porte this evening pr

sented its reply to the collective note of the powers regarding the settlement of peace. The Constantinople correspondent of the Daily Mail says that the reply of the Turkish Government consents to negotiate the terms of peace with the representatives of the powers, provided that the Greek commanders first sign

the armistice, and that the treaty of peace be

signed by the Turkish and Hellenic Plenipotenliaries in Thessaly. The question of giving up Thessaly to Greece is rapidly becoming more serious in Constanti-nople. The Ministers and civil, military and religious officials-all classes from the palace to the street porters—are dead against the withdrawal of the Turkish troops. Every imaginable influence is being exerted on the Sultan to have him retain the conquered territory. He alone does not show his hand. The Sheikh-ul-Islam declares it impossible for

uered from infidels. Nothing will override the popular sentiment but a far bolder and more united front by the powers, whom the Turks, recalling their impotence to dislodge Col. Vassos from Crete at the beginning of the trouble, are beginning to openly challenge to fetch Edhem Pasha out of

Islam to abandon without war territory con-

Thessaly. Exalted Ottoman officials build much on Germany's jealousy of Russia, and assert, apparently with truth, that the German Emperor is straining to oust Russia from her position of confidential adviser to the Sultan, besides suggesting various strategic improvements in Asia Minor, which are evidently aimed at the Mus covites.

Advices received from Constantinople to-day confirm entirely THE SUN'S repeated explanations of how the war has given the Sultan com plete mastery over the powers of Europe. Abdul Hamid sees the diplomats at Constantinople, who, during the Armenian massacres, bullied him with scant personal courtesy, now come cringing to present a deferential note saying that the powers will thank him if he will cease fighting. and expressing the hope that he will not demand any spoils of victory which will upset their balance. But the Sultan is not disposed to abate his demands one jot, while he knows that he can maintain his position owing to the mutual distrusts of the powers.

A despatch received from Constantinople today describes how the Porte is strengthening the Turkish occupation of Thessaly, which is already an accomplished fact. Orders have been issued to send thirty-two battalions of troops from Syria to the conquered province, and others will be drafted from the Servian and Bulgarian frontiers. Six transports left Ismid yesterday, sailing by way of Rodosto (between Cor stantinople and the Dardanelles), under scaled

Everything points to the growing conviction of Turkey that she can retain the Thessalian territory if Europe is afraid to fight her. This is now being seen in the European capitals. A great war, to which events are forcing the statesmen, is more and more to be apprehended, but they dare not yet mention it. It is binted at by an old diplomat, who, writing to the Paris

Figure, says:
"If the Kaiser's policy is, as he so frequently affirms, peace in Europe, then he will decline to shelter the Sultan in using his newly conquered authority to reduce Europe's diplomatic labor to nothingness."

The correspondent of THE SUN at Constantinople telegraphs that an imperial trade was issued last evening appointing Field Marshal Edhem Pasha, Ottoman Plenipotentiary, together with Assim Bey, formerly Turkish Minister at tatives of Greece the conditions under which peace may be concluded between Turkey and Greece, the meeting of the representatives to take place at Pharsala

It is reported in Constantinople that Greece refuses to entertain this action of the Porte, declaring that having placed her interests in the hands of the powers she cannot enter into any

direct negotiations with Turkey.

The Times's correspondent, who has been at the front, has arrived at Salonica, having travelled by way of Larissa and Elassona, He reports that there is a steady forward movement of reinforcements along all the roads, and declares that Edhem Pasha's force must now number nearly 200,000 men.

A despatch to the Times from Lamia desc the great change that has taken place at Ther mopyle within a few days. The hillsides are swarming with Greek troops, who are finely posted. The despatch adds that there must be 15,000 soldiers at Thermopyles alone.

COLLISION ON THE EAST RIVER. Steamboat Erastus Corning Rams the Ferry boat Texas-One Woman Hurt.

The ferryboat Texas of the line from Broad way. Williamsburg, to the foot of East Twentythird street, was rammed by the Starin boat Erastus Corning at 10:15 o'clock last evening while on her way from Williamsburg to this

and was near the Brooklyn side when the Corning, which was bound up the river, ran into her. There were only about fifty passengers on the Texas, and a score or more on the steamboat. When the Texas was struck they were sent spin ning about the cabins. The bow of the Corning crashed through several panels in the side of the

cabin of the Texas. The screams of fear from the women passe gers led the officers of the Texas to think that many of them had been injured, but it was found that only one was hurt. She was Anne Gusenheim, 35 years old, of 379 Avenue A, who was knocked down and received a slight scalp

was knocked down and received a slight scalp wound.

The Texas kept on her trip to this city and landed her passengers. Then she returned to Williamsburg and was laid up for the night. Mrs. Gusenheim walked into Bellevue Hospital with her husband, and, after having her head dressed, went home. She said the passengers in the women's cabin screamed when they learned that danger was imminent, but became quiet after the shock of the collision.

The Corning is a wooden propeller, plying between the Starin line pier, at the foot of Cortiandt street, and New Haven. She left her pier at 9 o'clock, in command of Capt. Spohr. She is said to have continued on her trip after the collision, and it is supposed she was not badly damaged.

aged.
The damage to the Texas, which was in command of Pilot George S. Tuthill of 883 Lafsyette avenue, Brooklyn, amounts to \$500. The forward part of the woodwork of the women's cabin was completely carried away.

DIED IN A POORHOUSE.

a Grandschow of Russell Sage Expires Among Unfortunates.

JOLIET, Ill., May 27.-George Sage, a grandnephew of Russell Sage of New York city, died to-day at the Will County Poor Farm. He was the eldest son of Elisur Sage, who last winter secured a loan of \$50 from his uncle, Russell Sage, and gave as security a mortgage on his little home in Channahoa. The mortgage was

paid two weeks ago.

George was about 21 years of age, and his death was due to consumption. He had been at the county farm about two months, and was in a very weak condition. Elisur Bage is the father of a large family, and when his son's condition became so scrious that he was unable to care for him the young man was consigned to the poor farm. When he died to day he was surpounded only by the poor and unfortunate of the county.

SEVERE EARTHQUAKE SHOCK. It Was Pelt in Montreal and Plattsburg and as Far South as Fort Edward.

PLATTERURG, N. Y., May 27,-A severe shock of earthquake was felt at 10:15 to-night. It lasted fully twenty seconds. It was very severe in Montreal and was felt as far south as Fort Edward. It was the worst shock ever experienced here.

LOCKPORT, N. Y., May 27 .- At 10:20 to-night this city was visited by a slight earthquake, which was of about two minutes duration. It started with a slight tremor, which became more violent in a succession of slight shocks. At the greatest intensity of the earth's disturbance windows were shaken until blinds rattled. People who were asleep in many instances were awakened by the trembling of the beds under them. The earthquake was not severe enough to do any damage, but many people were badly frightened.

SYRACUSE, May 27 .- A slight earthquake shock was felt in this city at about 10:15 this evening. Buildings vibrated and windows were shaken. Despatches from northern New York towns indicate that the shock was somewhat more violent there.

M'LAURIN WANTS A PRIMARY.

If the People Want Some Other Scuntor, He Tells Gav. Ellerbe, He Will Step Bown. COLUMBIA, S. C., May 27, -Senator McLaurin' letter to Gov. Ellerbe, accepting the appointment, was filed to-day. Mr. McLaurin says in

"I desire, however, to say that I believe that United States Senators should be elected by a vote of the people; and as the Constitution de bars us that privilege I sincerely trust that the Democratic State Executive Committee will order a primary, and give every Democrat a voice in the selection of one to fill this, the highest office in the gift of the people. If I am not selected I will humbly acquiesce in the wishes of the majority. If I am selected I will have the proud consciousness of knowing that I am in fact truly the representative of the people—the whole people of the State of South Carolina."

Mr. McLaurin goes on to say that had it not been for the exigency demanding the immediate filling of the vacancy, ha would have preferred that no appointment had been made till the people had spoken at the polls. hars us that privilege I sincerely trust that the

THE PRESIDENT APOLOGIZES. It Was to a Policeman Who Had Ordered His

Carriage Off Forbidden Ground. WASHINGTON, May 27.-President McKinley daily adds to his reputation as the most polite man in Washington. Yesterday he rode to the Capitol, in company with Secretary Porter, to listen to the open-air concert of the Marine Band. The driver of his carriage attempted to cross the chalk line that encircled the space be yond which vehicles are not allowed to go. The policeman on duty, not recognizing the distin-guished occupants of the carriage, took the horses by the bridles, and, turning them about, norses by the bridles, and, turning them about, ordered the driver to move his carriage back with the others. The driver was about to protest when the President, leaning out of the carriage, took off his hat, made his regulation bow, apologized for the mistake, and ordered his carriage to the place reserved for the vehicles of all kinds.

DEEP-WATER PORT IN MEXICO. A Project to Add Another Ship Harbor to Mex-

TAMPICO, Mex., May 27 .- An American company, in which Senator S. B. Elkins and ex-Senator Don Cameron are said to be largely interested, will present to the Maxican Government plans and a proposition for the establishment of

plans and a proposition for the establishment of a deep-water harbor at Solo Ia Marina, about 150 miles north of here, midway between Brownsville, Tex., and this port. There are no serious engineering difficulties in the way of securing deep water, as it may be ob-tained by removing the har at the mouth of the Solo Ia Marina River, which is a large and swift running stream. This will be accomplished by means of jetties extending out into the gulf, as was done here. means of jettles extended was done here.

The company also proposes to build a railroad connecting their new harbor with Tampico and Brownsville, Texas. It will be a coast line, and will pass through a rich agricultural section.

DURFEE HASN'T SETTLED. Illipois's Last Insurance Commissioner Hasn't

Accounted for \$219,000. Curcago, May 27 - Bradford K. Durfee, former Superintendent of the Department of Insurance, has not yet settled with the State. He went out of office on May 5, turning over to James R. B. Van Cleave, the new Superintendent, all the books, records, and furniture of the office, and holding receipts from the Auditor showing that he had paid into the State Treasury \$509,978.30, he had paid into the State Treasury \$509,978,30, the cash income of his office. Mr. Durfee took office on May 21, 1893, and in the four years of his incumbency he received of public moneys \$728,884.99. The difference between the receipts and the \$509,978,30 is the amount of cash still remaining in Mr. Durfee's hands—or at least withhold from the State.

Durfee's salary was \$3,500 a year. It is probable that a settlement will be demanded of his bondsmen.

WORTH NOT FIGHTING PLATT. The Brooklyn County Clerk Denies Stories

Strained Relations. County Clerk Jacob Worth, the Republican eader in Brooklyn, told the reporters yesterda that there was no foundation for the rumor of a break between him and Senator Platt.

We have long fought side by side," he said "We have long fought side by side," he said,
"and will continue to do so. Tammany Hall is the
only foe we have in view at present."

Mr. Worth also said that he was going to do
less talking in future. It is expected that Mr.
Worth and his fellow committeemen, who were
appointed recently to meet with similar committees from the various Republican organizations in the Greater New York territory, will
have their first conference in a few days, and
agree on a basis of representation for the City have their first conference in a few day, agree on a basis of representation for the Convention.

ASK JUDGE WRIGHT TO QUIT. The Perry County, O., Bar Nearly Canalmon

in the Potition. COLUMBUS, O., May 27 .- All but two member of the Perry county bar have petitioned Judge O. W. H. Wright of the Court of Common Plea asking him not to sit in Berry county. The pe tition states that the clients of the subscribi attorneys lack confidence in the Judge, and that the present condition of affairs is embarrassing to bench and bar, a delay to the proper termination of litigation, and a hindrance to the efficacy of the judicial system. There has been dissatisfaction with Judge Wright ever since he appointed a receiver for the C. S., and H. Raliroad Company a few months ago when a \$5,000 claim was all that was pressing. Lawyers refuse to try cases before him.

ATTACK ON CHINESE MISSION. 30th Protestants and Catholics Assailed a

SAN FRANCISCO, May 27.-The Pacific Mai Company's chartered steamer Glenavon arrived to-day from the Orient, bringing news of a say age attack by Chinese on the Protestant and Catholic missions at Loli, in the Kwangsi prov Catholic missions at Loli, in the Kwangsi province, and the murder of Father Maxel, a Catholic priest. It is reported that the missions at the neighboring town of Sallin are threatened. A telegram received by the Vicar Apostolic of Kwangsi leaves it uncertain whether the missions were attacked by an anti-Christian mob or by brigands. Father Maxel was only 25 years old. He arrived at Hong Kong in September last, and had been at Loli only one month.

Catholic Priest Killed.

THROUGH WITH PUBLIC LIFE. Ex-Ambassador Bayard Says Ho Wants N More Official Butles.

Boston, May 27.—"I hope I will have no further official duties," said ex-Ambassador term of public life, he said, had been long, and he had sorved his country at the expense of personal affairs. Mr. Bayard spoke this afternoon at a reception of the Society of the Colonial Wars. Its left for his home. Wilmington, Del., at midnight. Bayard in an interview this afternoon. His

Along the Hudson River and through the Hohaw Yalley over the New York Central to Hisgars Falla-tovelies trip in the world. See half-rate Decoration Day Excursion. — Ada.

BATCH OF DUPED SENATORS

LED BY MULLIN AND PAPER AGAINST BLACK AND PAYN.

Then Left in the Lurch After Payn's Confirmation-Senator White of Syracuse, All of Whose Bills Are Dead, Was One Victim-Maybe Wieman and Brush Know Others.

Gov. Black has been criticised in certain parts. of the State because he either allowed to die or has vetoed certain bills in which Republican Senators were interested who voted against the confirmation of Louis F. Payn to be Superintendent of Insurance, It was not apparent to Republicans hereabouts yesterday that Gov. Black had adopted any preconcerted course concerning the legislation in which these Senators were interested; but whether he had or not, the Republicans declared that they admired Goy. Black's spirit. The assaults on Mr. Payn before his confirmation by the Senate were made by antiorganization Republicans and Mugwumps, it was declared, and were entirely of a personal character. From the hour Mr. Payn was confirmed the criticisms ceased, and all insurance men and others have declared that Mr. Payn has made a first-rate Superintendent of Insur-ance. Testimony was forthcoming yesterday that business with the Insurance Department at Albany under Mr. Payn had been conducted with more celerity and thoroughness than for the last few years.

The subject of this story, however, is the character of the Scnate "combine," which was organized by Senator Joseph Mullin of Watertown and Senator Frank D. Pavey of New York city against Mr. Payn. When it first becam known that Mr. Payn was to be nominated by Gov. Black for Superintendent of Insurance Mr. Mullin and Mr. Pavey entered into the 'combine" to defeat Mr. Payn's confirma tion in the Senate. Senator Mullin was to take cure of the fractious country Senators and Senator Pavey was to hold the opposition Senators below the Bronx in hand. Mr. Mullin is an old hand in legislative matters, and Mr. Pavey is considered to be an adept in looking out for Pavey. If they won the fight against Mr. Payn they would be great men and would get all the glory, but if they were defeated they knew a way of trying to patch up a peace and at the same time to leave their followers in a deep

Among the Senators from the country districts whom Mr. Mullin corralled was Senator White of Syracuse, all of whose bills have been either vetoed or allowed to die by Gov. Black. When ex-Senator Frank Hiscock and ex-Col lector Francis Hendricks of Onondaga county ascertained that Senator White intended to vote against Mr. Payn, they hurried to Albany and spent a day with Senator White in the and spent a day with Senator White in the effort to convince him that he should not. They talked and talked with Senator White, and told him of the effect his conduct would have on the Republican organization of the State. Senator White, however, was obdurate, and declared that he had promised Mr. Mullin and Mr. Pavey, for social and personal reasons, to vote against Mr. Payn. All that Mr. Hiscock and Mr. Hendricks could say to him was without avail, and finally Mr. Hiscock and Mr. Hendricks became a little angry, whereupon Senator White said:
"Gentlemen, if you do not like my intended

dricks became a little angry, whereupon Senator White said:

"Gentlemen, if you do not like my intended line of conduct I will hand in to-day my resignation as Senator for the Thirty-sixth district."

Mr. Hiscock and Mr. Hendricks could not think of allowing Mr. White to take such a decisive step, and they returned to Syracuse very much disturbed. Senator White voted against Mr. Paya, and a week or two afterward it was told in The Sun how Senator Pavey attempted to get in out of the wet. He called upon Mr. Payn and attempted to explain his vote. He had got around him Senator Brush and Senator Wieman of Brooklyn, and it may be interesting to interpolate here that Senator Wieman's legislation has not found favor at Albany. Senator Brush and Senator Wieman did not know until they rend it in The Sun that Senator Pavey, the "left wing" of the Senate "combine," had called on Mr. Payn at Mr. Senator Pavet called on Mr. Payn at Mr.

had voted against him and attempted to patch up a truce.

Senator Pavey called on Mr. Payn at Mr. Payn's Albany residence, 2 Park place, and he did not make his call in the open day, but went secretly at night, to endeavor to conciliate the man whom he had bitterly assailed. Mr. Payer's visit to Mr. Payn demonstrated to Republicans that there was no substantial opposition on the part of Payer to Payn, and all the time Wieman and Brush were to be left in the lurch.

Senator Mullin, the commander-in-chief of the "right wing" of the Senate "combine" against Payn, served Senator White and other country Senators, it was ascertained, in the same way. "right wing" of the Senate "combine" against Payn, served Senator White and other country Senators, it was ascertained, in the same way. Senator Mullin did not call upon Mr. Payn in Albany as Mr. Payey did, but immediately after Mr. Payn was confirmed by the Senate Senator Mullin wrote a letter to Mr. Payn asking Mr. Payn to cooperate with him in friendly fashion as to political and other matters at Albany. Senator Mullin did not tell Senator White that he had written Mr. Payn this letter. The letter is of the strongest and friendliest character. So that Senator Mullin and Senator Payey, the leaders of the Senate "combine" against Mr. Payn, attempted at the very first opportunity to resume friendly relations with Mr. Payn, and the Senators whom they had seduced into the "combine" were not aware of their conduct, and have been left in the lurch all along.

Gov. Black, it was said yesterday by Republicans who ought to know what they are talking about, has been aware all along of the character of the opposition of Mullin and Payey to Payn, and other Republicans, it was said last night, believe that the Senators who followed Mullin and Payey were little less than dupes.

VIRGINIA'S ELECTION. Mighty Little Interest and a Small Vote-No

Constitutional Convention. RICHMOND, Va., May 27.-The election in Vir inia to-day was for local officers in a number of the councies. The vote was very small, there being polled about one-third of the usual numher. There was apparently more activity on the part of the Republicans than the Democrats. The question of holding a Constitutional Con-

The question of holding a Constitutional Convention in the State attracted not much interest. The illiterate voters neither knew nor cared anything about the measure, and many of them voted in ignorance.

The intelligent voters were largely opposed to the holding of a convention, but through lack of interest remained away from the polls. For this reason the vote in Richmond on the Constitutional Convention was about equally divided, there being a majority of five in favor of the convention with two precincts unheard from. In the State the convention will be voted down. Charlotte county. Accomac county, Charlottesville, and a few other places heard from favor the convention by small majorities, while Roanoke, Danville, and other cities heard from yound against it. The measure will be defeated by a safe majority. The counties favoring the convention have the largest populist and free silver vote.

silver vote. ANOTHER FLOOD AT EL PASO. The Waters of the Rio Grande Pouring Into the

Causi and Flooding City and Valley.

Et Paso, Tex., May 27.—The headgates broke this afternoon and the floods of the Rio Grande are pouring into the canal, so that the water cover all that portion of the city between the canal and the river, and it is feared the waters will advance as far as Overland, San Antonie and Myrtle streets before morning.

The fire bell sounded the alarm at 2 P. M. and the exodus commenced. Every kind of vehicle the exodus commenced. Every kind of vehicle was brought into scrvice and loaded with household goods and merchandise for transportation to places of safety. Some tarried too long and lost their all, and a great deal of live stock pertshed. Thousands of El Paso's population are witnessing the widespread destruction and are powerless to check it.

The Santa Fé tracks are full of box and cattle cars for the use of the refugees. The Santa Fé and Texas and Pacific Railroad yards and depots are in the flooded districts. Couriers were despatched and rode down the valley notifying the settlers that the floods were coming. The flood in area and volume of water is greater than the Johnstown disaster.

he Johnstown disaster.

WARNING TO CURIOUS HUSBANDS

one in Binghamion Arrested for Opening

Letter to His Wife. HORNELLSVILLE, N. Y., May 27 .- O. E. Allen fancy goods merchant, has been arrested by United States Marshal Staring, charged with TROOPS TO CHECK RAIDERS.

Gov. Bradley Sends a Company to Keep the Pence at a Tollgate Trial.

LEXINGTON, Ky., May 27.-There was great excitement here this afternoon when it became known that Gov. Bradley had ordered the Lexington Company, State Guard, Capt. Fred Wilson, to report at the armory at 7 o'clock to-night ready to go to Owingsville, where turnpike raiders threaten to burn the town. Forty five soldiers left on the C. and O. express at 8:50 and arrived at Owingsville about 11 o'clock. The troops were eager to go, and a number of their friends who were formerly members of the State Guard accompanied them. The examination of Charles Jones, one of the randers wounded and captured in the battle near Owingsville on Friday night, begins there tomorrow. It was feared that the raiders and their friends would be in Owingsville 200 strong, as they have threatened to mobilize an army of that number and rescue the prisoners.

ON A BICTCLE BUILT FOR TWO.

Mr. Clements and Miss Ward Take a Ride on a Tandem and Return Man and Wife. SARATOGA, May 27. - A romance developed from a ride on a tandem bicycle in Saratoga county on Monday. Joseph Bertram Clements of Rome, N. Y., and Misa Jennie Lyle Ward of Charlton, Saratoga county, started on a bicycle built for two. They left Schenectady in the morning for Charlton, where they called upon Miss Ward's sister. Before returning the idea occurred to them that it would be a good time to get married. They straightway went to the

parsonage of the Rev. D. M. Schell and were

made one. Their wedding journey consisted of

a return trip to the starting point on the tandem.

MOST PERFECT TOWN IS THE WORLD

George M. Pullman Gets a Diploma and Medale for Building It. CINCINNATI, O., May 27.-George M. Pullman, who is here at the Mercantile Club conference, got word to-day that he had received from Archduke Rainer two magnificent medals and a richly-wrought diploma as testimonials honor and merit for founding and building the most perfect town in the world. This distinction for the Chicago suburb of Pullman came as the result of an exhibit in the International Hygienic and Pharmaceutical Exposition in Prague. The verdict included the

ONLY M'KINLEYITES 'NEED APPLY. A Line of Demarcation for Oklahoma Office

Seekers. PERRY, Oklahoma, May 27.-The new Governor of Oklahoma is now besieged by more than 200 office seekers. After Gov. Barnes arrived from Washington yesterday and took the oath of office he was greeted by the hungry horde, and they are coming in on every train. The an nouncement that Gov. Barnes will only recognize "original" McKinley men has caused con sternation among the Reed and Flynn sections of the Republican party.

AUSTIN GOLLAHER DYING.

He Was a Friend of Lincoln's Boybood and Once Pulled Him Out of a Creek.

LOUISVILLE, Ky., May 27.-Austin Gollaher, the only surviving friend of Liucoln in his boyhood days, is dying at his home near Hodgenville, Large county. He is 91 years old, but reained his faculties until a few months ago. His home is about three miles from the farm where Lincoln was born, and Mr. Gollaber distinctly remembers the youthful Abe, whom he once pulled out of a creek into which he fell.

THE DUC D'ALENCON'S VOW. Ho Will Join the Dominicans and Prepare for

Holy Orders. Special Cable Despatch to The Bus LONDON, May 27 .- The Chronicle's Paris correspondent says that the Duc d'Alençon, in accordance with a vow taken immediately after the funeral of his wife, who was one of the victims of the recent fire at the Charity Bazaar, icans, with the object of preparing for holy

orders. MARRIED TO A RED VASE.

Chinese Girl's Way of Forswearing Marriage Upon the Benth of Her Lover.

San Francisco, May 27 .- From Luchow, China, comes the news that Miss Hsu, daughter of one of the gentry, was married recently to a Red Flower Vase, which was a substitute for her dead betrothed, son of the Vice-Chancellor her dead betrothed, son of the vice-thancehor of the Pekin Imperial Academy and former Optimus of Hanlin Academy.

The young man died a few days before the weiding day, and the bride vowed to forswear marriage and observe her widowhood in the family of her betrothed. Hence the curious

marriage ceremony to a vase. A memorial will be sent to the Emperor asking him to erect a granite arch at Luchow to commemorate the bride's virtue.

SHE HUGGED PASSERS-BY. The Presumably Insane Culprit Said to Belon:

to a Titled Austrian Pamily. Kate Dwoback, who said she lived at 8" Sheriff street, after being fined \$5 for intoxica tion in the Essex Market Court yesterday, gave such evidence of an unbalanced mind that she was sent to Bellevue Hospital. She was arrested at Delancey and Ludiow streets early in the day for dancing and singing and hugging

the day for dancing and singing and hugging passers-by.

When arraigned in court she declared that she was related to a titled family in Austria. Policeman Levy of the Eldridge street station, who arrested her, told Magistrate Wentworth that her story regarding her antecedents was true. He added that she was recently married to a nineteen-year-old youth, and had become insune over her husband's alleged infatuation for a sixteen-year-old girl.

CLUB MEMBERS SUED FOR DUES There Are Fifty Delinquents in the Lincoln

Club of Brooklyn. The directors of the Lincoln Club in Sixth av enue, Brooklyn, have begun suits in Justice Neu's court against fifty members who have defaulted in the payment of their dues. Lieut, Gov. Woodruff is one of the leading members of the club, and is not, of course, included in the batch of delinquents. There are some other Republican statesmen on the Park Siope, how ever, who have for some reason falled to make good their obligations to the club.

GOING TO THE JUBILEE.

America En Boute to London. NEW ORLEANS, La., May 27,-The Louisville and Nashville Railroad sent out ten extra sleepers last night bound for New York and contain ing the Central American delegation of Queen Victoria's subjects en route to the jubilec cele-bration. The Breakwater brought a large num-ber of jubilec passengers from Belize, British Honduras, and there were other parties from several of the Central and South American States.

WHEAT FIELDS IN OKLAHOMA. The Territory Will Probably Vield 20,000,000 Bushels This Year.

PERRY, Oklahoma, May 27,-Oklahoma Terri tory has blossomed into a fine wheat country The acreage seeded last fall was very large, and estimates from all the counties in the Territory estimates from all the countries in the 1-71 tory indicate a yield of from 20,000,000 to 25,000,000 bushels. This will be four times more wheat than was ever produced in this Territory before. In many sections farmers estimate a yield of from thirty to sixty bushels to the acre.

Bied of Blecougha.

the precedent laid down last year in the State Convention just prior to the Chicago National Convention, which did not reaffirm the national

PRICE TWO CENTS.

HILL, BRYAN, AND OTHERS.

EX-SENATOR NOT FOR REAFFIRMS

ING THE CHICAGO PLATFORM.

Banforth Says the Party Stands on That Pinte

form Until 1900 Anyhow-Se Where's the

Need of Reaffirming t-State Committee, He

Bays, Won't Meddle with John C. Sheeham.

Ex-Senator Hill arrived at the Hotel Nor-

mandle from Elmira yesterday. He will return to Albany to-day if possible. He met a number

of his friends, and when asked about the prob-

able attitude of the State Committee on the question whether or not the Chicago national

platform of 1896, reaffirmed by the Buffalo Con-

that the committee would undoubtedly follow

ention, should be indorsed this year, he said

platform of 1992.
Mr. Hill also told his friends that there was some idea of taking the Republicans to indores John Cinton Gray of the Court of Appeals for Chief Judge of that court. This does not indicate, it was said, that Judge Gray is to be the

merely an embryonic programme, which may come to naught. Ex-Senator Hill, when he told his friends that the State Committee would probably not indorse the Chicago platform, confirmed what other Democrats have all along said would be ex-Senator Hill's attitude in the matter. It was explained that if the State Committee does not indorse the Chicago platform it does not repudiate it, and repudiating it is what the tele-

Democratic candidate for Chief Judge: it is

indorse the Chicago platform it does not repudiate it, and repudiating it is what the telegram sent to Norman E. Mack by Elliet Danforth, Chairman or the State Committee, says
Mr. Danforth does not favor.

Doubtless the programme laid down by Mr.
Hill to his friends as to the prospective action
of the State Committee will not please Mr. Mack
and other eager followers of Hryan, Chairman
Danforth of the State Committee and James C.
Truman, Chairman of the Executive Committee of the State Committee, had a talk in Mr.
Danforth's office yesterday afternoon, and both
Mr. Danforth and Mr. Truman said afterward
that it was not the proposition of the State
Committee to interfere in any way with Leader
John C. Sheehan of Tammany Hall, and that
whatever policy Mr. Sheshan adopted would be
acceptable to Mr. Danforth and Mr. Truman,

"I am in full sympathy," continued Mr. Danforth, "with Mr. Sheehan on all issues, municipal, State, and national, It cannot be denied
that if the National Convention was held tomorrow Mr. Bryan would again be the candidate of the party. The Democrats of this State
indorsed the national platform at the Buffalo
convention, and the party stands on that platform till the next National Convention meets. I
should say from my talks with the party leader
that there will be no backsliding from the Chi-

MOONSHINER KING CONVICTED. Davis Had Six Wives and Thirty-sine Children

Who Helped to Hun the Still. RALEIGH, N. C., May 27,-John L. Davis, the King of the Moonshiners," was convicted today and sentenced to fourteen months in Albany prison and to pay \$500 fine. Davis . 55 years old. prison and to pay \$500 fine. Davis 55 years old, Since 1870 he has been a moonshiner. For three years past constant efforts have been made to arrest him. Four months ago he was caught at his home in Moore county.

The evidence showed that Davis has six gives living and thirty-nine children. He boasts of this fact. He is now in jail here. He moved his still more than fifty times, but never left Moore county. His wives, children, and friends always gave warning. Davis says he will return to his besiness of moonshining as soon as he is released.

MR. VANDERBILT MUCH BETTER. Europe Has Relped His Health-To Spend the

Late Summer in Newport. NEWPORT, May 27 .- Mr. and Mrs. Cornelius Vanderbilt, who went abroad intending to remain till fall, have decided to spend the summer here after all, and have cabled over orders to have The Breakers put in readiness for occupancy on July 31. There comes also a report from Mrs. Vanderbilt to friends here that the European visit thus far has been of great benefit to Mr. Vanderbilt's health. Mr. and Mrs. Harold Payne Whitney, the latter formerly Miss Gertrude Vanderbilt, ar-rived to-day for the summer, coming on the Vanderbilt private car.

Vanderbilt private car, James Gordon Bennett will visit Newport ASBURY PARK PRESS CENSORSHIP.

Founder Bradley's Allies Will "Regulate " Newspaper Correspondents. AABURY PARK, N. J., May 27 .- Asbury Park has a new organization known as the Taxpayers Association. Its objects are to perpetuate the restrictions which now exist concerning the sale of alcoholic liquors; to secure wise laws; to correct the mistakes now existing in the new city rect the mistakes now existing in the new city charter; to secure the establishment of a sound financial policy; to secure municipal ownership of the sewers and boardwalk with proper restrictions, and to coolerate with Founder Bradley in all matters affecting the welfare and advancement of the city. A prime object of the association is to regulate the class of news sent from here by correspondents of out-of-town papers.

HARRY LACEY GETS OUT OF JAIL.

He Takes the "Poor Debtor's Oath" After Spending the Winter in a Providence Prison. PROVIDENCE, R. L. May 27.-Harry Lacey, AR actor, who was arrested last fall while taking part in a play at the Providence Opera House, got leave to take the poor debtor's oath this afternoon. He availed himself of the opportuing the part of the villain in "The Sporting Duchess." A man who claimed to have a bill against him had a civil writ of arrest served on him, as a result of which he was locked up. He had spent the interim in prison, his creditor paying his board. nity and was released from jail. Lacey was act-

ETHELRED STORY A LIE.

Capt. Israel Writes to the Charterers That the Spanish Did Not Fire at Him.

BOSTON, May 27.-Capt. F. S. Israel of the British steamer Ethelred, now at Philadelphia. from Port Antonio, Jamaica, in a letter to the Boston Fruit Company, the charterers of the steamer, received this morning, denies the sensational story to the effect that the Ethelred was made a target for Spanish warships on the passare to and from Jamaica. He says the story is purely a myth.

BLEW HER FRIEND'S HEAD OFF. Miss Luts Pointed the Shotgun at Miss Leach

NEW CASTLE, Pa., May 27. - At a party in Slippery Rock township last night Emma Luts picked up a shotgun, and, not knowing it was loaded, pointed it at her friend Minnie Leach, who was rectiting on a lounge, remarking that she had better be quiet. The gun was discharged, blowing Miss Leach's brains out and wounding another gir, seriously. Miss Lutz is crazed with griet.

It was announced by the Brooklyn Bridge officials yesterday that the obstacles to the perfeeting of the contracts with the surface trolley lines to cross the structure had been removed by the climination of the provision encroaching on Park row. The revised plans provide that the cars shall come within the easterly surb of Park row, thus keeping them within the jurisdiction of the Bridge Trustees.

James Gordon Bennett, master and owner of the steam yacht Namouna, visited the Custom House yesterday to renew the papers for his

J. G. Bennett Renews His Yacht's Papers.

yacht, which were issued in 1885, since when Mr. Hennett has not brought the yacht back to this port. It wasterported at the Custom House yesterday that he will sail again on Sunday nert. trazed by Smoking Cigarettes WORCESTER, Mass., May 27.-Charles W.Pope

CHRETENTOWN, Md., May 27.—William Johns, a local colored preacher, was attacked with hic-coughs on Monday, and all attempts to relieve him proved unavailing. He died yesterday. 29, of Oxford, was committed to the Worcest Lunatic Hospital to-day. Experts who have a amined him have declared that his grouble due to excessive smoking of cigarettes;